

2/23/11 10:14:53
DK W BK 652 PG 465
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

This instrument prepared by and return to:
Eric L. Sappenfield, PLLC, Attorney at Law
MS Bar #6468
* 6858 Swinnea Road
#5 Rutland Place
Southaven, MS 38671
662-349-3436
foreclosures/13204.5std

GRANTOR'S ADDRESS:
6858 Swinnea Road
5 Rutland Place
Southaven, MS 38671

wk: 662-349-3436
hm: n/a

GRANTEE'S ADDRESS
5885 Ridgeway Center Parkway
Suite 109
Memphis, TN 38120

wk: 901-761-1214
hm: n/a

INDEXING INSTRUCTIONS: 24.389 Acres +/- located in the NE Quarter of Section 11, Township 2 South,
Range 8 West

STATE OF MISSISSIPPI

COUNTY OF DESOTO

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on April 17, 2003, CHURCH ROAD ASSOCIATES, LLC, executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH BANK, which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 1704, Page 290, re-recorded in Book 1761, Page 578, extended and renewed in Book 2248, Page 655, further extended and renewed in Book 2976, Page 310, and re-recorded in Book 2981, Page 118 .; and

6

WHEREAS, on December 23, 2010, BancorpSouth Bank assigned said Deed of Trust to CGL Investments LLC, a Tennessee limited liability company as recorded in Book 3259, Page 734;

WHEREAS, on January 7, 2011, BancorpSouth Bank executed a Consent as recorded in Book 3265, Page 707;

WHEREAS, CGL INVESTMENTS LLC, A TENNESSEE LIMITED LIABILITY COMPANY having substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL, by instrument dated January 12, 2011, and recorded in the Chancery Clerk of DeSoto County, Mississippi, in Book 3266, Page 294; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, CGL INVESTMENTS LLC, A TENNESSEE LIMITED LIABILITY COMPANY, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

WHEREAS, the undersigned Substituted Trustee in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi did advertise said sale in THE DESOTO TIMES, a newspaper published and generally circulated in DeSoto County, Mississippi, for four consecutive weeks preceding the date of the sale. The first notice publication appeared January 27, 2011 and subsequent notices appeared on February 3, 2011, February 10, 2011, and February 17, 2011. Proof of publication is attached hereto and incorporated herein by reference as Exhibit "A".

WHEREAS, on February 18, 2011, at the East Door of the County Courthouse of DeSoto County, Hernando, Mississippi, commencing at 11:00 A.M., I the undersigned Substituted Trustee did offer for sale and sell said property for cash to the highest bidder the following described property, lying and being situated in DeSoto County, Mississippi, to wit:

Being a survey of part of the Raymond E. Turman Sr. Property as recorded in Book 158, Page 285 at the DeSoto County Court Clerks Office, located in the Northeast Quarter of Section 11, Township 2 South, Range 8 West, DeSoto County, Mississippi and being more particularly described as follows:

Beginning at a point in the west line of U.S. Highway 51, said point being 3987.17 feet north of and 1183.35 feet west of a found axle at the Southeast Corner of Section 11, Township 2 South, Range 8 West; said point also being the Northeast Corner of the Turman, Inc. Property (Book 293, Page 201) thence $N87^{\circ}49'28''W$ along the north line of the said Turman, Inc. Property a distance of 879.92 feet to a point, said point being the Southeast Corner of the Carole D. Johnson property (Book 244, Page 73); thence $N12^{\circ}48'30''W$ along the east line of the said Johnson property and along the east lines of Lots 132 and 131 of Section "E" of the Alden Station Subdivision (Plat Book 69, Page 17) a distance of 988.41 feet to a found iron pin at the Northeast Corner of said Lot 131, said point also being the Southeast Corner of Lot 12 of the Turo Subdivision (Plat Book 25, Page 4); thence $N0^{\circ}24'57''E$ along the east line of said Lot 12 a distance of 364.34 feet to a point on the south line of Church Road, said point being 53.00 feet south of the centerline of said Church Road; thence $S88^{\circ}05'57''E$ along the South line of said Church Road a distance of 47.72 feet to a point; thence $S88^{\circ}13'17''E$ and continuing along the south line of said Church Road a distance of 353.16 feet to a point, said point being 53.00 feet south of the centerline of said Church Road; thence $S87^{\circ}30'41''E$ and continuing along the south line of said Church Road a distance of 140.90 feet to a found right-of-way marker; said marker being 54.75 feet south of the center line of said Church Road; thence $S51^{\circ}49'17''E$ a distance of 261.77 feet to found right-of-way marker, said marker being 54.79 feet west of the centerline of said U.S. Highway 51; thence $S15^{\circ}17'58''E$ along the west line of said U.S. Highway 51 a distance of 314.94 feet to a found right-of-way marker, said marker being 59.84 feet west of the centerline of said U.S. Highway 51; thence $S15^{\circ}15'22''E$ and continuing along the west line of said U.S. Highway 51 a distance of 300.04 feet to a point thence $S16^{\circ}12'21''E$ and continuing along the west line of said U.S. Highway 51 a distance of 500.00 feet to a found right-of-way marker, said marker being 65.00 feet west of the centerline of said U.S. Highway 51; thence $S26^{\circ}48'45''E$ and continuing along the west line of said U.S. Highway 51 a distance of 81.53 feet to a found right-of-way marker, said marker being 50.00 feet west of the centerline of said U.S. Highway 51; thence $S16^{\circ}13'06''E$ and continuing along the west line of said U.S. Highway 51 a distance of 36.38 feet to the point of beginning and containing 1,062,382 square feet, or 24.389 acres.

LESS AND EXCEPT:

Being a survey of part of the Church Road Associates, LLC property as recorded in Book 471, Page 200 at the DeSoto County Court Clerks Office, located in the Northeast Quarter of Section 11, Township 2 South, Range 8 West, DeSoto County, Mississippi and being more particularly described as follows:

Beginning at a found right-of-way marker, said marker being 54.79 feet west of the centerline of U.S. Highway 51, said marker also being 5168.25 feet north of and 1531.89 feet west of a found axle at the Southeast Corner of Section 11, Township 2 South, Range 8 West; thence $S15^{\circ}17'58''E$ along the west line of said U.S. Highway 51 a distance of 50.00 feet to a point; thence $S74^{\circ}42'02''W$ a distance of 164.13 feet to a point; thence $N87^{\circ}30'41''W$ a distance of 254.45 feet to a point; thence $N00^{\circ}24'57''E$ a distance of 250.00 feet to a point on the south line of Church Road, said point being 53.00 feet south of the centerline of said Church Road; thence $S88^{\circ}13'17''E$ along the south line of said Church Road a distance of 51.00 feet to a point, said

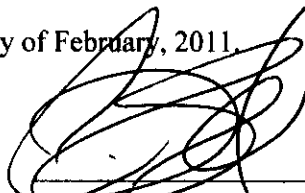
point being 53.00 feet south of the centerline of said Church Road; thence S87°30'41"E and continuing along the south line of said Church Road a distance of 140.90 feet to a found right-of-way marker, said marker being 54.75 feet south of the center line of said Church Road; thence S51°49'17"E a distance of 261.77 feet to a found right-of-way marker at the point of beginning and containing 81,146 square feet or 1.863 acres.

The undersigned Substituted Trustee offered said property for sale at public outcry as set forth above and there appeared CGL INVESTMENTS LLC, who bid the amount of \$1,646,640.00, and this being the highest and best bid, said CGL INVESTMENTS LLC, was declared the successful bidder and the same was then and there struck off to said CGL INVESTMENTS LLC.

NOW THEREFORE, in consideration of the premises and in consideration of the price and sum of \$1,646,640.00, cash in hand paid, receipt of which is hereby acknowledged, I, the undersigned Substituted Trustee, do hereby sell and convey unto CGL INVESTMENTS LLC, the land and property above described, together with all improvements thereon.

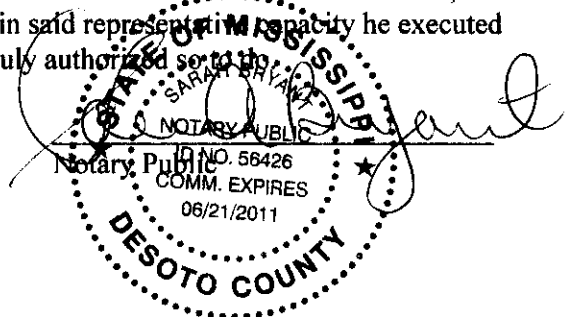
Title to this property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee and makes no representation as to any warranty of title.

WITNESS MY SIGNATURE this the 18th day of February, 2011.


Eric L. Sappenfield
Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me the undersigned authority in and for the said county, and state, on this 18th day of February, 2011, within my jurisdiction, the within named ERIC L. SAPPENFIELD, who acknowledged that he is Substituted Trustee of CGL INVESTMENTS LLC, A TENNESSEE LIMITED LIABILITY COMPANY, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.



My Commission Expires:
June 21, 2011

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on April 17, 2003, CHURCH ROAD ASSOCIATES LLC, executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH BANK, which Deed of Trust is of record in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 1704, Page 290, re-recorded in Book 1761, Page 578, extended and renewed in Book 2248, Page 655, further extended and renewed in Book 2976, Page 310, and re-recorded in Book 2981, Page 118.

WHEREAS, on December 23, 2010, BancorpSouth Bank assigned said Deed of Trust to CGL Investments LLC, a Tennessee limited liability company as recorded in Book 3259, Page 734;

WHEREAS, on January 7, 2011, BancorpSouth Bank executed a Consent as recorded in Book 3285, Page 707;

WHEREAS, CGL INVESTMENTS LLC, A TENNESSEE LIMITED LIABILITY COMPANY has heretofore substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL by instrument dated January 12, 2011, and recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 3266, Page 294; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, CGL INVESTMENTS LLC, A TENNESSEE LIMITED LIABILITY COMPANY, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expenses of sale.

Volume No. 116 on the 27 day of Jan., 2011

Volume No. 116 on the 3 day of Feb., 2011

Volume No. 116 on the 10 day of Feb., 2011

Volume No. 116 on the 17 day of Feb., 2011

Volume No. _____ on the _____ day of _____, 2011

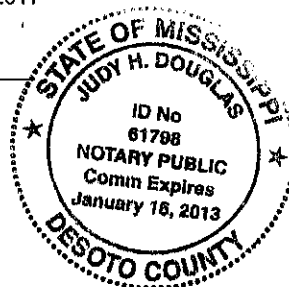
Volume No. _____ on the _____ day of _____, 2011

Diane Smith

Sworn to and subscribed before me, this 17 day of Feb., 2011

BY Judy Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2013
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



A. Single first insertion of 1239 words @ .12 \$ 148.68

B. 3 subsequent insertions of 3717 words @ .10 \$ 371.70

C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 523.38

NOW, THEREFORE, I, ERIC L. SAPPENFIELD, SUBSTITUTED TRUSTEE, under the provisions of and by virtue of the authority conferred upon me in the same Deed of Trust, will on the 18th day of February, 2011, sell between the legal hours of 11:00 o'clock a.m. and 4:00 o'clock p.m., at the East Door of the County Courthouse of DeSoto County in Hernando, Mississippi, offer for sale and sell said property for cash to the highest bidder, the following described property lying and being situated in DeSoto County, Mississippi:

Being a survey of part of the Raymond E. Turman Sr. Property as recorded in Book 158, Page 285 at the DeSoto County Court Clerks Office, located in the Northeast Quarter of Section 11, Township 2 South, Range 8 West, DeSoto County, Mississippi and being more particularly described as follows:

Beginning at a point in the west line of U.S. Highway 51, said point being 3887.17 feet north of and 1183.35 feet west of a found axle at the Southeast Corner of Section 11, Township 2 South, Range 8 West; said point also being the Northeast Corner of the Turman, Inc. Property (Book 293, Page 201) thence N87°49'28"W along the north line of the said Turman, Inc. Property a distance of 879.92 feet to a point, said point being the Southeast Corner of the Carole D. Johnson property (Book 244, Page 73); thence N12°48'30"W along the east line of the said Johnson property and along the east lines of Lots 132 and 131 of Section "E" of the Alden Station Subdivision (Plat Book 68, Page 17) a distance of 988.41 feet to a found iron pin at the Northeast Corner of said Lot 131, said point also being the Southeast Corner of Lot 12 of the Turo Subdivision (Plat Book 25, Page 4); thence N0°24'57"E along the east line of said Lot 12 a distance of 364.34 feet to a point on the south line of Church Road, said point being 53.00 feet south of the centerline of said Church Road; thence S88°05'57"E along the South line of said Church Road a distance of 47.72 feet to a point; thence S88°13'17"E and continuing along the south line of said Church Road a distance of 353.16 feet to a point, said point being 53.00 feet south of the centerline of said Church Road; thence S87°30'41"E and continuing along the south line of said Church Road a distance of 140.90 feet to a found right-of-way marker; said marker being 54.75 feet south of the center line of said Church Road; thence S51°49'17"E a distance of 281.77 feet to found right-of-way marker, said marker being 54.79 feet west of the centerline of said U.S. Highway 51; thence S15°17'58"E along the west line of said U.S. Highway 51 a distance of 314.54 feet to a found right-of-way marker, said marker being 59.84 feet west of the centerline of said U.S. Highway 51; thence S15°18'22"E and continuing along the west line of said U.S. Highway 51 a distance of 300.04 feet to a point thence S16°12'21"E

and continuing along the west line of said U.S. Highway 51 a distance of 500.00 feet to a found right-of-way marker, said marker being 65.00 feet west of the centerline of said U.S. Highway 51; thence S26°48'45"E and continuing along the west line of said U.S. Highway 51 a distance of 81.53 feet to a found right-of-way marker, said marker being 50.00 feet west of the centerline of said U.S. Highway 51; thence S16°13'08"E and continuing along the west line of said U.S. Highway 51 a distance of 36.36 feet to the point of beginning and containing 1,062,362 square feet, or 24.388 acres.

LESS AND EXCEPT:

Being a survey of part of the Church Road Associates, LLC property as recorded in Book 471, Page 200 at the DeSoto County Court Clerks Office, located in the Northeast Quarter of Section 11, Township 2 South, Range 8 West, DeSoto County, Mississippi and being more particularly described as follows:

Beginning at a found right-of-way marker, said marker being 54.79 feet west of the centerline of U.S. Highway 51, said marker also being 5168.25 feet north of and 1531.89 feet west of a found axle at the Southeast Corner of Section 11, Township 2 South, Range 8 West; thence

S15°17'58"E along the west line of said U.S. Highway 51 a distance of 50.00 feet to a point; thence S74°42'02"W a distance of 164.13 feet to a point; thence N87°30'41"W a distance of 254.45 feet to a point; thence N00°24'57"E a distance of 250.00 feet to a point on the south line

of Church Road, said point being 53.00 feet south of the centerline of said Church Road; thence S88°13'17"E along the south line of said Church Road a distance of 51.00 feet to a point, said point being 53.00 feet south of the centerline of said Church Road; thence S87°30'41"E and continuing along the south line of said Church Road a distance of 140.90 feet to a found right-of-way marker, said marker being 54.75 feet south of the center line of said Church Road; thence S51°49'17"E a distance of 281.77 feet to a found right-of-way marker at the point of beginning and containing 81,146 square feet or 1.863 acres.

The undersigned Substituted Trustee will convey only such title as is vested in him by virtue of the above described Deed of Trust.

WITNESS MY SIGNATURE this 25th day of January, 2011.

/s/ Eric L. Sappenfield
Eric L. Sappenfield (MS Bar No. 6468)

Substituted Trustee
6858 Swinnea Road
5 Rutland Place
Southaven, MS 38671
662-349-3436

Publication Dates:
January 27, 2011
February 3, 2011
February 10, 2011
February 17, 2011